

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GIULIANA DESIMONE, )  
                        )  
Plaintiff,            )  
                        )  
v.                     )       Case No. 2:21-cv-02063-PD  
                        )  
                        )  
TRANS UNION, LLC, EXPERIAN      )  
INFORMATION SOLUTIONS, INC.,    )  
EQUIFAX INFORMATION SERVICES    )  
LLC, and AMERIFINANCIAL        )  
SOLUTIONS, LLC,                )  
                        )  
Defendants.            )  
                        )  
\_\_\_\_\_

**DEFENDANT EQUIFAX INFORMATION SERVICES LLC'S  
ANSWER AND DEFENSES TO PLAINTIFFS' COMPLAINT**

Defendant Equifax Information Services LLC ("Equifax"), by and through undersigned counsel, hereby files its Answer and Defenses to the Complaint filed by Plaintiff, Giuliana DeSimone ("Plaintiff") as follows:

**PRELIMINARY STATEMENT**

In answering the Complaint, Equifax states that it is responding to allegations on behalf of itself only, even where the allegations pertain to alleged conduct by all Defendants. Equifax denies any and all allegations in the headings and/or unnumbered paragraphs in the Complaint.

**ANSWER**

In response to the specific allegations in the enumerated paragraphs in the Complaint, Equifax responds as follows:

**PRELIMINARY STATEMENT**

1.     Equifax admits that Plaintiff purports to bring a claim against Equifax under the Fair Credit Report Act ("FCRA"), 15 U.S.C. § 1681 *et seq.* and Fair Debt Collection Practices

Act (“FDCPA”), 1692 *et seq.* Equifax denies that it violated the FCRA and FDCPA, denies that Plaintiff was damaged by any action or inaction of Equifax, and denies that Plaintiff is entitled to any of the relief sought in the Complaint.

**Jurisdiction and Venue**

2. To the extent Plaintiff has properly alleged her claims, Equifax admits this Court may exercise its jurisdiction. Equifax denies Plaintiff’s entitlement to any relief.
3. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3.

**Parties**

4. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4.
5. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5.
6. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6.
7. Equifax admits the allegations in Paragraph 7.
8. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 8.

**Facts**

9. Equifax denies the allegations in Paragraph 9.
10. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10.
11. Equifax is without knowledge or information sufficient to form a belief as to the

truth of the allegations in Paragraph 11.

12. Equifax denies the allegations in Paragraph 12.
13. Equifax denies the allegations in Paragraph 13.
14. Equifax denies the allegations in Paragraph 14.
15. Equifax denies the allegations in Paragraph 15.
16. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 16.
17. Equifax denies the allegations in Paragraph 17.
18. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 18.
19. Equifax denies the allegations in Paragraph 19.

**COUNT One –Violations of the FCRA**  
**Plaintiff v. TU, EX and EQ**

20. Equifax reasserts and re-alleges its responses and defenses as set forth herein.
21. Equifax admits the allegations in Paragraph 21.
22. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 22.
23. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 23.
24. Equifax denies the allegations in Paragraph 24.
25. Equifax denies the allegations in Paragraph 25.

**Count Two – Violations of the FCRA**  
**Plaintiffs v. AFS**

26. Equifax reasserts and re-alleges its responses and defenses as set forth herein.
27. Equifax is without knowledge or information sufficient to form a belief as to the

truth of the allegations in Paragraph 27.

28. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 28.

29. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 29.

30. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 30.

**Count Two – Violations of the FDCPA**  
**Plaintiffs v. AFS**

31. Equifax reasserts and re-alleges its responses and defenses as set forth herein.

32. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 32.

33. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 33.

34. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 34.

35. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 35.

36. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 36.

37. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 37.

38. Equifax is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 38.

**JURY TRIAL DEMAND**

39. Equifax admits that Plaintiffs demands a jury trial.

**PRAYER FOR RELIEF**

40. Equifax denies Plaintiffs are entitled to any relief claimed in her Complaint.

41. Any allegation in Plaintiffs' Complaint not heretofore specifically responded to by Equifax is hereby denied.

**WHEREFORE**, having fully answered or otherwise responded to the allegations in Plaintiff's Complaint, Equifax prays that:

- (1) Plaintiff's Complaint be dismissed in its entirety and with prejudice, with all costs taxed against Plaintiff;
- (2) it be dismissed as a party to this action;
- (3) it recover such other and additional relief as the Court deems just and appropriate.

Respectfully submitted this 2<sup>nd</sup> day of June, 2021.

CLARK HILL PLC

/s/Jakob F. Williams  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been filed electronically this 2<sup>nd</sup> day of June, 2021, using the Court's CM/ECF system which will send notification to all counsel of record.

/s/Jakob F. Williams  
Jakob F. Williams